

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WAYNE SUTTON,

Plaintiff,

v.

LUCINDA BUCHANAN, et al.

Defendants.

ORDER

Case No. 20-cv-55-wmc

WAYNE SUTTON,

Plaintiff,

v.

MICHAEL DITTMAN, et al.

Defendants.

ORDER

Case No. 20-cv-56-wmc

Plaintiff Wayne Sutton, a prisoner in the custody of the Wisconsin Department of Corrections, has submitted two proposed civil actions under 42 U.S.C. § 1983. Plaintiff has filed a certified copy of a trust fund account statement in support of the motion for leave to proceed without prepaying the fee. After considering the motion and supporting documentation, the court concludes that plaintiff qualifies for indigent status.

Even when a prisoner litigant qualifies for indigent status, the litigant must pay a portion of the fee returned by the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff's trust fund account statement, I conclude plaintiff's initial partial filing fees to be \$29.95 for each case. For these cases to proceed, plaintiff must submit these amounts on or before February 14, 2020.

If plaintiff does not have enough money to make the initial partial payments from plaintiff's regular account, plaintiff should arrange with authorities to pay the remainder from plaintiff's release account.

ORDER

IT IS ORDERED that,

1. Plaintiff Wayne Sutton is assessed \$29.95 as an initial partial payment of the \$350.00 fee for filing each of these cases. Plaintiff is to submit a check or money order made payable to the clerk of court in the amount of \$29.95 for each case (or a single check totaling \$59.90) or advise the court in writing why plaintiff is not able to submit the assessed amount on or before February 14, 2020.

2. If, by February 14, 2020, plaintiff fails to make the initial partial payment(s) or show cause for failure to do so, plaintiff will be held to have withdrawn these actions voluntarily and the cases will be closed without prejudice to plaintiff filing the cases at a later date.

3. No further action will be taken in these cases until the clerk's office receives plaintiff's initial partial filing fee(s) as directed above and the court has screened the complaint(s) as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915A. Once the screening process is complete, a separate order will issue.

Entered this 23rd day of January, 2020.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge